



COUNTY OF LOS ANGELES

JUDICIAL PROCEDURES COMMISSION

383 Hall of Administration / 500 West Temple Street / Los Angeles, California 90012 / (213) 974-1431

MINUTES OF THE 661st MEETING OF THE JUDICIAL PROCEDURES COMMISSION

The 661st meeting of the Los Angeles County Judicial Procedures Commission was held on April 21, 2005, in Room 140 at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California. A list of those in attendance follows:

MEMBERS PRESENT

Bertrum M. CeDillos, Chair
Nelson L. Atkins
Walter P. Coombs
William J. Galloway
Ann Jackson
Thomas J. Jeffers
Janice Kamenir-Reznik
Neal S. Millard
Robbi J. Work

EX-OFFICIO MEMBERS

Heather Aubry, LA City Attorney
Larry Mason, District Attorney's Office
Capt. Kenneth Masse, Sheriff's Department

COUNTY REPRESENTATIVES

Capt. Sam Dacus, Sheriff's Department
Laura Green, Public Defender's Office
Sgt. Bruce Haar, Sheriff's Department
Dr. Margaret Little, Superior Court
Honorable John H. Sandoz, Superior Court
Peggy Shuttleworth, CCJCC
Alan Steinbrecher, LA County Bar Association
Mark Windham, Public Defender's Office
Zoe Venhuizen, Superior Court

MEMBERS EXCUSED

Clifton Albright, Vice Chair
Lee Kanon-Alpert
Carol Rose
Sylvia Scott-Hayes

CITY REPRESENTATIVES

Lt. George Bush, LAPD
Michael P. Karsch, LA City Council

EXECUTIVE OFFICE

Jim Corbett
Dedie Ward
Audra Galang

Bertrum M. CeDillos
Chair

Clifton W. Albright
Vice Chair

Lee Kanon Alpert
Nelson L. Atkins
Walter P. Coombs
William J. Galloway
Ann Jackson
Thomas J. Jeffers
Janice Kamenir-Reznik
Neal S. Millard
Carol L. Rose
Sylvia Scott-Hayes
Robbi J. Work

CALL TO ORDER

Chair CeDillos called the 661st regular meeting of the Los Angeles County Judicial Procedures Commission (JPC) to order at 12:34 p.m.

PLEDGE OF ALLEGIANCE

Michael Karsch, Los Angeles City Council, was asked to lead everyone in the Pledge of Allegiance.

APPROVAL OF THE MINUTES OF MARCH 17, 2005

On motion of Commissioner Coombs, seconded by Commissioner Atkins and unanimously carried, the Minutes of March 17, 2005 were approved. Introductions of Commissioners, Ex-Officio Members. Staff and Guests followed.

CHAIR'S REPORT

Chair CeDillos thanked Judge Sandoz for the informative presentation on Family Law Court he gave at last month's meeting, and announced that Judge Aviva Bobb will be the guest speaker at the upcoming meeting in May.

GUEST SPEAKER – MS. ZOE VENHUIZEN – PRESENTATION ON COURT REPORTERS VS ELECTRONIC RECORDING EQUIPMENT IN COURTS

Chair CeDillos welcomed and introduced Ms. Zoe Venhuizen who has 26 years of administrative experience with the Court system. Ms. Venhuizen has been with the Los Angeles Superior Court since 1979 and is currently the Deputy Executive Officer, Central Operations Division.

Ms. Venhuizen spoke about the function of Court Reporters and Electronic Recording Monitors (ERM's) in the Courts. She stated that there are three code sections of the law that specifically address the types of cases which would require the use of Court Reporters: 1) in every proceeding for death penalty cases and in addition the Court Reporter assigned to the case must use computer aided transcription; 2) in all Juvenile proceedings; 3) civil cases, on order of the court or at the request of a party; in felony cases on order of the court or at the request of the prosecution, the defendant or the attorney for the defendant; and 3) in a misdemeanor or infraction case on order of the court.

The Court is basically not allowed the use of ERM's under Section 69957 of the Government Code which states that in order for the Court to use an ERM, the Court must first determine that an official Court Reporter is unavailable to report on an action or proceeding in the court, and even under those circumstances, an ERM can only be used in limited civil cases; a misdemeanor case or an infraction. Legislation also prohibits the Courts from using ERM's or taping equipment to make what could be considered an unofficial record.

The Superior Court has 583 courtrooms. Five hundred eight courtrooms have Court Reporters and seven have ERM's. The ERM's in the seven Courtrooms were allowed to be retained following the unification of the Courts by mutual agreement between the Court system and the Court Reporters Association.

Ms. Venhuizen also reported that:

- The salary for a Court Reporter at Step 3, is \$5,699.55 per month. At Step 7, \$6,706.91, for a total of \$80,484 annually.
- If a Court Reporter uses real time captioning or demonstrates they can use the equipment, they are paid an additional 5 ½ % bonus, and an additional 2 ¾ % bonus if they have a real time reporter's certificate.
- Payment for preparation of transcripts is in addition to their salary and any bonuses a Court Reporter receives.
- The salary for an Electronic Recording Monitor at Step 1 is \$2,623.82 per month. The annual salary is \$31,468. At Step 5, an ERM earns approximately \$39,000 annually.
- Annually, the Court spends over \$70 million to employ Court Reporters.
- From June 2003 to December 2003, the Court collected over \$5 million in revenue from civil matters to pay for the services of Court Reporters.
- From June 2004 to December 2004 the Court received \$10 million.
- The money collected for the use of Court Reporters goes directly to the State. The Court does not get to keep any of the money.
- The Court charges a client \$510 per day for the use of a Court Reporter, and \$255 for ½ day. There is no charge for an hour or less.

Currently, the Court system is having a very difficult time recruiting new Court Reporters. Over the last three years, the courts have lost a number of Court Reporters and have not been able to fully fill all of the vacant positions. The Court administration and Court Reporters Association are looking into various methods to attract new recruits.

Commissioner Millard mentioned that the Federal Court in Sacramento has implemented the use of electronic recording equipment in courtrooms with very successful results. The court was so pleased that they are pressuring for legislation asserting that electronic recording is more cost efficient, the proceedings are more accurately accounted, and a tape of the proceedings can be made immediately following the hearing.

Discussion ensued regarding the efficiency and productiveness of using the more costly Court reporters as opposed to using electronic recordings of proceedings. Following discussion, and considering the many issues that were raised by Commissioners and Ex-Officio members, the Commission agreed that this matter required further research. Chair CeDillos appointed an Ad Hoc committee to look into the matter and determine what course of action and strategy the Commission should take.

COMMITTEE REPORTS AND UPDATES

Police Overtime Committee

Chair CeDillos announced that Captain Masse retired after 33 years of service. Lt. Bush reported that the Committee is continuing its efforts to save on court related overtime within the City Attorney's office, and next month will be assigning two officers to the District Attorney's Office.

Child Custody Exchange Committee

Peggy Shuttleworth, CCJCC, reiterated that to implement a pilot exchange program in the Temple City and Carson Sheriff's Stations requires approximately \$340,000 per year.

At this time the grant request application has been sent to the Safe Havens Program and the Committee is waiting to hear whether the funding will be granted or not. The services of a professional grant writer were used in preparing the application in an effort to better its chances for funding. If the funding is granted, then the Committee will look for funding to sustain the centers permanently.

Child Waiting Room Project

The opening for the Airport Court Child Waiting Room will be sometime in May; the Antelope Valley Child Waiting Room will be moving to a larger area in that Courthouse next month; Margaret Little and Commissioner Jackson will be making a presentation on the Child Waiting Room project to the Commission for Women at their April 25 meeting and will broach the subject of partnering with the JPC on future Child Waiting Room projects.

Unauthorized Practice of Law

Commissioner Millard reported that he contacted the District Attorney to inform him about this issue and in response the DA assigned two representatives to serve on the Task Force and also sent material relating to this issue that is distributed by his department.

Commissioner Millard stated that he has also contacted the State Bar and the Los Angeles County Bar to request their participation and is awaiting a response.

On April 1, a special event was hosted by the Self Help Legal Action Center to alert the public to "not be fooled" by individuals posing as attorneys and the Committee is planning a widespread publicity campaign to educate and alert the public about this fraudulent practice.

PUBLIC COMMENT

There was none.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1:31 p.m.